Supreme Court of Canada

2010-2011 Estimates

A Report on Plans and Priorities

Approved

The Honourable Robert Douglas Nicholson, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Section I. Overview

A. Registrar's Message

I am pleased to present the 2010-2011 Report on Plans and Priorities for the Supreme Court of Canada.

The Supreme Court of Canada is Canada's final court of appeal. It serves Canadians by issuing judgments on questions of public importance which contribute to the development of the common law throughout Canada and of the civil law regime as it applies to Quebec. The independence of the Court, the quality of its work and the respect in which it is held both in Canada and abroad contribute significantly as foundations for a secure, strong and democratic country.

The Office of the Registrar of the Supreme Court of Canada has a deep appreciation for the importance of the Court's role and focuses its efforts on a single strategic outcome, namely that 'The administration of Canada's final court of appeal is effective and independent'.

The core work of the Office continues to be the processing and hearing of cases brought to the Court. Although our projected caseload for the coming year remains stable, the decision-making environment continually evolves, thereby dictating new risks, challenges and opportunities. In the past few years, these have been mainly of a technological nature, as the Court undertook a major courtroom modernization initiative. Now that courtroom systems are stable and the implementation of an electronic document and records management system is underway, the focus will shift to adapting business processes to that new electronic environment. I am confident that although change is not always easy, the managers and employees of the Court will pursue that challenge and continue to dedicate themselves, as always, to serving the judges and Canadians with professionalism and a renewed sense of purpose.

In line with that challenge, we will be focusing on two key management priorities in 2010-2011: (i) developing and implementing a sound information management program and (ii) enhancing the Court's overall security program to better meet the needs of the Court.

Thank you in advance for your attention to this report.

_____ _____

Roger Bilodeau, Q.C. Date

B. Raison d'être

As Canada's final court of appeal, the Supreme Court of Canada serves Canadians by leading the development of common and civil law through its decisions on questions of public importance. The mandate of the Supreme Court of Canada is to have and exercise an appellate, civil and criminal jurisdiction within and throughout Canada, which it meets by hearing and deciding cases of public importance. In accordance with the *Supreme Court Act*, the Supreme Court of Canada consists of the Chief Justice and eight Puisne Judges.

The Office of the Registrar of the Supreme Court of Canada provides the full gamut of services and administrative support which the Court needs in order to hear cases and render decisions. It also serves as the interface between the litigants and the Court. The focus of this report is on the Office of the Registrar of the Supreme Court of Canada.

More detailed information on the Court's responsibilities, the hearing process and judgments is available on the Internet (http://www.scc-csc.gc.ca).

C. Responsibilities

The Supreme Court of Canada (SCC) is comprised of the Chief Justice and eight Puisne Judges, all of whom are appointed by the Governor in Council. It is the highest Court in Canada and one of its most important national institutions. It hears appeals from the decisions of the courts of appeal of the provinces and territories, as well as from the Federal Court of Appeal. In addition, the Court is required to give its opinion on any question referred to it by the Governor in Council. The importance of the decisions of the Court in Canadian society is well established. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system. Its jurisdiction is derived from the *Supreme Court Act* and other relevant statutes, such as the *Criminal Code*.

The Registrar and the Deputy Registrar are Governor in Council appointees. The Registrar is the Deputy Head of the Court and also exercises some quasi-judicial powers.

The Registrar is supported in his functions by:

- the Deputy Registrar, who oversees the work of the Court Operations Sector, the IT Solutions and Development Sector as well as that of the Communication Services unit. The **Court Operations Sector** groups together four core program branches: Registry, Law, Library and Information Management, and Reports. The **IT Solutions and**

Development Sector consists of two branches: the IT Operations branch and the Business Development and Change Management branch. The **Communication Services** unit manages external communications, public visits and educational activities, as well as internal communications;

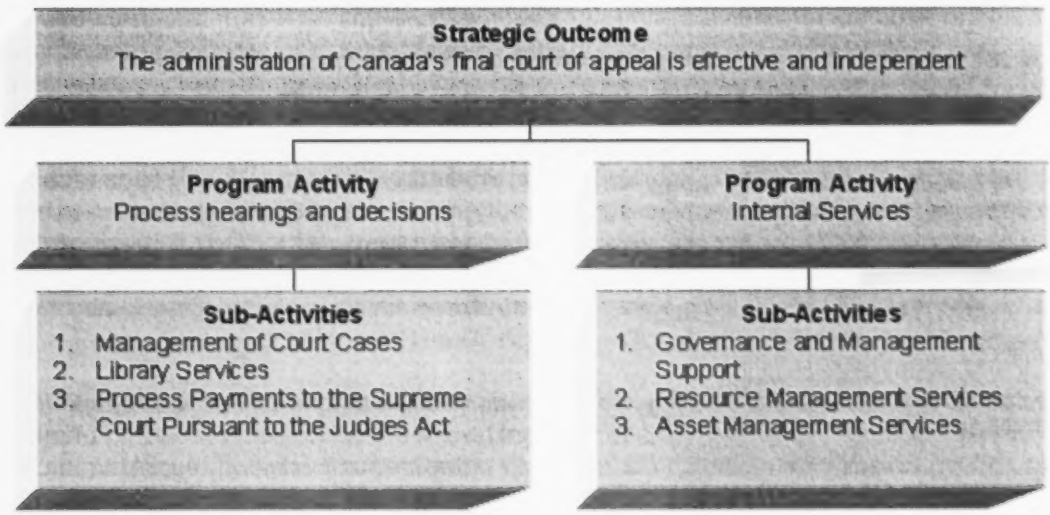
- the **Judicial Support Services and Protocol Branch,** which provides judicial support services to the Judges' Chambers and manages the Court's protocol activities; and

- the **Corporate Services Sector,** which provides various administrative support to the Judges and Court staff, such as accommodations, telephones, health and safety, finance, procurement, human resources, printing and mail services, security, strategic planning and corporate reporting.

D. Strategic Outcome and Program Activity Architecture

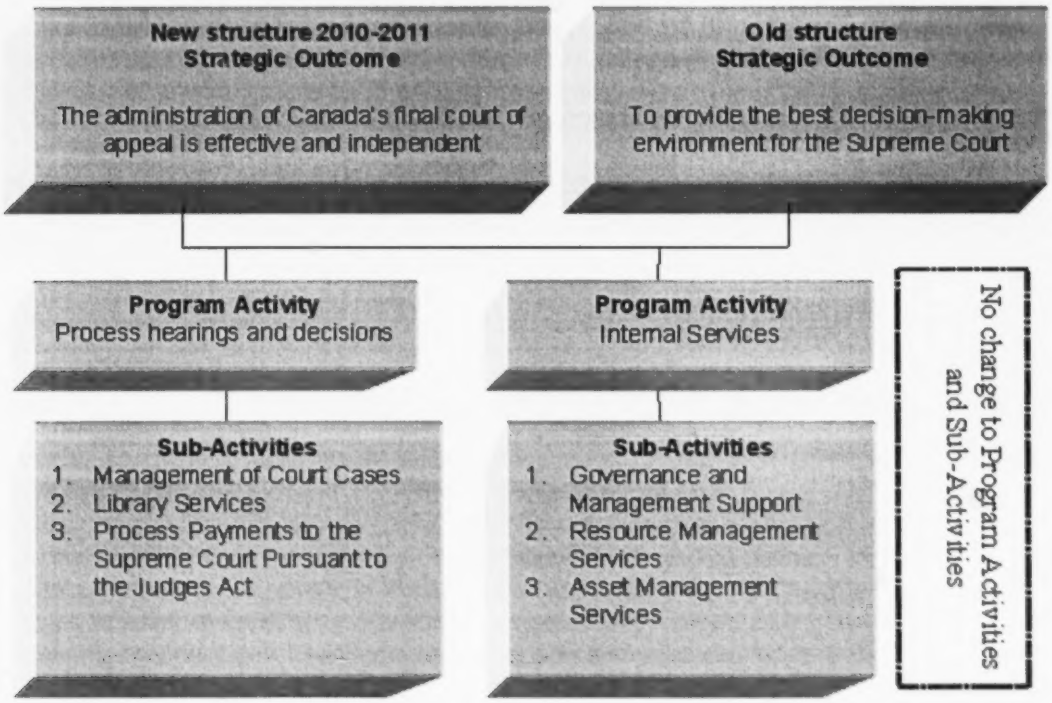
The Office of the Registrar of the Supreme Court of Canada has a single strategic outcome: The administration of Canada's final court of appeal is effective and independent.

The following diagram illustrates the program activity architecture which contributes to attaining the strategic outcome:


Strategic Outcome
The administration of Canada's final court of appeal is effective and independent
Program Activity
Process hearings and decisions
Program Activity
Internal Services
Sub-Activities
1. Management of Court Cases
2. Library Services
3. Process Payments to the Supreme Court Pursuant to the Judges Act
Sub-Activities
1. Governance and Management Support
2. Resource Management Services
3. Asset Management Services

Program Activity Architecture Crosswalk

The Office of the Registrar modified the wording of its strategic outcome with approval from the Treasury Board in May 2009. The modification was made only in order to more clearly define the outcome statement and does not reflect any changes to the program activities or sub-activities and involved no redistribution of financial resources. The diagram below compares the new structure for 2010-2011 with the old structure:


New structure 2010-2011
Strategic Outcome
The administration of Canada's final court of appeal is effective and independent
Old structure
Strategic Outcome
To provide the best decision-making environment for the Supreme Court
Program Activity
Process hearings and decisions
Program Activity
Internal Services
Sub-Activities
1. Management of Court Cases
2. Library Services
3. Process Payments to the Supreme Court Pursuant to the Judges Act
Sub-Activities
1. Governance and Management Support
2. Resource Management Services
3. Asset Management Services
No change to Program Activities and Sub-Activities

E. Planning Summary

Financial Resources ($ millions)

The financial resources table provides a summary of the total planned spending for the Office of the Registrar for the next three years.

2010-2011	2011-2012	2012-2013
29.4	29.5	29.4

Human Resources (Full-Time Equivalents)

The human resources table provides a summary of the total planned human resources for the Office of the Registrar for the next three years.

2010-2011	2011-2012	2012-2013
209	209	209

Planning Summary Table

Strategic Outcome: The administration of Canada's final court of appeal is effective and independent	
Performance Indicators	**Targets**
Level of satisfaction among judges regarding quality of service	Target "satisfied" level
Level of satisfaction among lawyers regarding quality of service	Target "satisfied" level

Program Activity[1]	Expected Results	Forecast Spending 2009-10	Planned Spending			Alignment to Government of Canada Outcome
			2010-11	2011-12	2012-13	
Process hearings and decisions	• Cases processed without delay • Access to Court services and information • Courtroom systems reliability • Access to reference information • Timely and accurate processing of payments	22.2	21.5	21.6	21.5	Government Affairs[2]
Internal Services		8.2	7.9	7.9	7.9	
Total Planned Spending		30.4	29.4	29.5	29.4	
Less: Non-respendable revenue		(0.2)	(0.2)	(0.2)	(0.2)	
Plus: Cost of services received without charge		9.5	9.9	9.9	9.9	
Total Departmental Spending		39.7	39.1	39.2	39.1	

F. Contribution of Priorities to Strategic Outcome

The focus of the Office of the Registrar will continue to be the processing of cases without delay while maintaining stakeholder satisfaction and high standards of service as well as keeping backlogs to a minimum.

Integrated business planning. The Office of the Registrar continues to improve its business planning process by further integrating various resource requirements such as human resources, financial resources, assets, information technology, communications as well as risk considerations. The human resources plan serves to forecast staffing needs, to deal strategically with retention and succession issues as well as to mobilize and sustain the energies and talents of managers and employees. The Office of the Registrar is also improving the management of learning amongst its staff by linking learning activities to operational requirements, specific job requirements, future organizational needs as well as employee development, through the use of learning plans. Learning plans are

[1] For program activity descriptions, please access the Main Estimates online http://www.tbs-sct.gc.ca/est-pre/estimate.asp .

[2] The Supreme Court of Canada stands at the apex of the Canadian judicial system and as such is a fundamental component of the Canadian government and its institutions.

evergreen and reviewed each year during the performance evaluation cycle. This enables the Office of the Registrar to effectively manage its human resources and strategically align the organization's efforts to the priorities of the Clerk of the Privy Council.

Priorities. The Office of the Registrar has two management priorities for 2010-2011: (i) develop and implement a sound information management program; and (ii) enhance the security program to better meet the needs of the Court.

Management Priorities	Type	Links to Strategic Outcome	Description

Develop and implement a sound information management (IM) program	Previously committed to	The administration of Canada's final court of appeal is effective and independent	**Why is this a priority?**
			• Given the increasing complexities of cases before the Court, the amount of and numerous sources of available information, as well as increasing demands for access to information, the Office of the Registrar must provide an improved information management program to better support the business of the Court
			Plans for meeting this priority
			• Adapt work processes to the new technological environment to gain maximum efficiencies
			• Implement new organizational structures to build capacity
			• Finalize an IM strategy and framework:
			  • Review information management governance to clarify roles and responsibilities
			  • Develop a plan to address IM awareness activities and training at all levels
			  • Continue updating procedures, policies, directives, standards and guidelines
			• Continue implementing the electronic document and records management system and other information management tools

Enhance the security program to better meet the needs of the Court	New*	The administration of Canada's final court of appeal is effective and independent	**Why is this a priority?** • Due to the sensitive nature of the business of the Court and the high profile of the institution, it is essential to enhance the security program which has many components, such as departmental security, information technology security and business continuity planning **Plans for meeting this priority** • Assess delivery of security services • Review and strengthen capacity • Review security program governance to clarify roles and responsibilities • Review policies, procedures and practices to ensure coordination of key security policy functions and implementation of related policy requirements • Continue activities already underway which relate to business continuity plan (BCP) and continuity of constitutional government (CCG), including development and implementation

* Although the security program is a new management priority, the business continuity plan component was a previously committed priority in 2009-10.

G. Risk Analysis

On November 30, 2009, the Registrar announced changes to the organizational structure to ensure that the administration of the Court is properly aligned to better meet future challenges and to address strategic priorities. The major factors affecting the Court's activities are detailed below, along with key risks.

Operating Environment. The environment within which the Office of the Registrar must carry out its activities is continually evolving. First, to counter various ongoing pressures placed on the Court to update its facilities, systems and services, the Office of the Registrar's focus during the last four years has been on modernizing the courtroom and on enhancing electronic access to the Court for litigants and the public. Major technological changes have now been instituted and the Office of the Registrar is solidifying and leveraging these new technologies by ensuring that work processes are adapted to the new technological environment.

Second, there has been a need for a continued focus on the electronic exchange of information between or from the Judges, Court staff, the legal community and the public. The public has become more technologically savvy and comfortable using electronic tools to carry out a wide variety of functions. Consistent with this broad trend, the public expects to be able to use electronic tools to interact with the Office of the Registrar's systems to obtain information, for example by viewing webcasts of Court hearings, or accessing written submissions via the Internet. Judges and counsel are increasingly preparing their cases using electronic documents and therefore require access to these documents electronically, including during hearings. Counsel are demanding the ability to use electronic information and technology while presenting their cases. Meanwhile, the number of electronic documents and judgments produced by the lower courts is increasing. While the Office of the Registrar has moved toward a greater acceptance and processing cases electronically, (all main appeal documents are now filed electronically), the requirement for paper-based processes continues and will continue for some time. As a result, parallel streams (paper and electronic) of case and information processing is still required. The courtroom modernization project created additional pressure to bridge the paper and electronic streams while maintaining both formats. The focus is now shifting to business transformation and change management with a view to realizing greater efficiencies and effectiveness in all sectors of the Court's operations.

Third, factors such as globalization and the growing influence of privacy, national security, and human rights issues continue to increase the complexity of cases being heard. More complicated motions are also being filed and the Court is frequently asked to deal with cases or issue rulings on an expedited basis. In addition, a significant number of applications for leave to appeal are being received from self represented litigants (24% of applications in 2008). Addressing the needs of self represented litigants causes additional pressure on all of the Court's operations.

Fourth, the workload of the Office of the Registrar in terms of caseload has been very stable over the last decade (an average of 86 appeals heard and 556 leave applications filed per year), although there can be unexplainable fluctuations from year to year. There were 546 new cases filed in 2008 (528 applications for leave and 18 appeals as of right), with 82 appeals being heard. At the time of drafting this report, our projections are that 2009 could be a somewhat lighter than an average year, with 73 appeals being heard and an estimated 515 leave applications and 14 appeals as of right filed. Our projections for 2010 are 65 appeals to be heard as well as an estimated 530 leave applications and 14 appeals as of right to be filed.

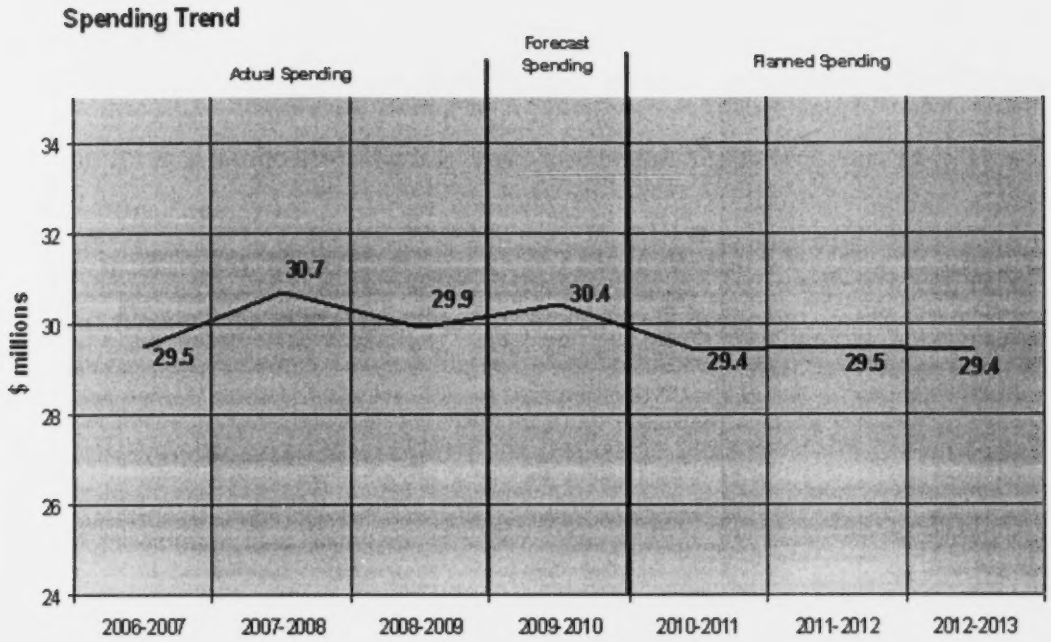
Finally, an ongoing challenge faced by the Office of the Registrar is one that is shared by many smaller governmental organizations, that is the struggle to maintain operations and address specific challenges while at the same time complying with the same expectations and requirements (e.g. reporting) established by government's central agencies as are demanded of larger, more resourced departments or institutions.

Key risks. The key risks that may have implications for the Office of the Registrar's ability to achieve expected results during the reporting period are related to information management, change management and business transformation, people management, physical and information security, business operations and their continuity as well as delivery of judicial support services. In November 2009, the Registrar took steps to address these risks through an internal restructuring to better align the information management function, to better respond to business transformation needs as well as to better deliver various judicial support services to the judges' chambers.

H. Expenditure Profile

For 2010-11 fiscal year, the Office of the Registrar plans to spend $29.4 million to meet the expected results of its program activity and contribute to its strategic outcome. As illustrated in the diagram that follows, there was a slight increase in approved funding for the courtroom project from 2006-2007 to 2008-2009.

Canada's Economic Action Plan (CEAP). The CEAP did not have an impact on the Court's operations or activities.



I. Voted and Statutory Items

The table below illustrates funding approved by Parliament for the Office of the Registrar:

($ millions)

Vote # or Statutory Item (S)	Truncated Vote or Statutory Wording	2010-2011 Main Estimates	2011-2012 Main Estimates
50	Program expenditures	21.6	21.6
(S)	Contributions to employee benefit plans	2.3	2.3
(S)	Judges' salaries, allowances and annuities, annuities to spouses and children of judges and lump sum payments to spouses of judges who die while in Office	5.5	5.6
	Total	29.4	29.5

Section II. Analysis of Program Activities by Strategic Outcome

A. Strategic Outcome

The Office of the Registrar of the Supreme Court of Canada achieves its strategic outcome and results for Canadians through its main program activity - Process hearings and decisions - together with its Internal Services program activity. The performance indicators for the strategic outcome relate mainly to the quality and timeliness of the service provided.

Strategic Outcome: The administration of Canada's final court of appeal is effective and independent	
Performance Indicators	**Targets**
Level of satisfaction among judges regarding quality of service	Target "satisfied" level
Level of satisfaction among lawyers regarding quality of service	Target "satisfied" level

B. Program Activities

Program Activity: Process hearings and decisions					
Human Resources (FTEs) and Planned Spending ($ millions)					
2010-2011		**2011-2012**		**2012-2013**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
147	21.5	147	21.6	147	21.5

Program Activity Expected Results	**Performance Indicators**	**Targets**
Cases processed without delay	• Number of months between filing of application for leave and decision on application for leave • Number of months between hearing and judgment	• 14 weeks • 6 months
Access to Court services and information	• % of lawyers and unrepresented litigants that were "satisfied" or "very satisfied" with Registry Services	• 95%
Courtroom systems reliability	• Number of hearing disruptions for technical reasons per year	• 0
Access to reference information	• % of factual/bibliographic requests for reference assistance responded to within service standard of 1 working day • % of complex/substantive requests for reference assistance responded to by date required by client • % of users that were "satisfied" or "very satisfied" with library services • % of citations in judgments that are in the collection	• 95% • 95% • 95% • 85%
Timely and accurate processing of payments	• % of payments processed within service standards • % of errors on payments	• 95% • 2%

Program Activity Summary

The Office of the Registrar is charged with providing services which the Court needs to render its decisions as Canada's Court of last resort. The principal responsibilities of the Office of the Registrar are to provide a full range of administrative and support services to the Judges and to manage cases coming to the Court.

Planning Highlights

The Supreme Court has consistently met its performance targets in the areas of processing of cases without delay, providing effective access to Court services and programs, including reference information, and providing reliable courtroom services. At the same time, the Office of the Registrar has maintained stakeholder satisfaction and high standards of service quality. The Office of the Registrar has determined that a strengthened information management program will enhance its ability to meet performance targets and maintain stakeholder satisfaction. For that reason, changes were made to the organizational structure in November 2009 by grouping all operational branches in one sector and fortifying the links between the Court Operations Sector and the new Information Technology Solutions and Development Sector. To this end, the Office of the Registrar will concentrate its efforts in the next few years to improving the management and delivery of judicial support services and strengthening the information management program. A new framework to support these initiatives was put in place in November 2009 with changes to the organizational structure designed in particular to allow the Office of the Registrar to take full advantage of the considerable investments made in new technologies during the Court Modernization Program. The vision is that the Office of the Registrar of the Supreme Court of Canada must continue to be recognized as a leader in court administration.

Workload projections for 2010	
Category	**Projected workload**
Leave applications filed	530
Leave applications submitted	530
Appeals as of right filed	14
Appeals heard	65
Judgments	75
Publication of Supreme Court Reports	3 Volumes (3 parts each)

Program Activity: Internal Services					
Human Resources (FTEs) and Planned Spending ($ millions)					
2010-2011		2011-2012		2012-2013	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
62	7.9	62	7.9	62	7.9

Program Activity Summary

Internal Services are groups of related activities and resources that are administered to support the needs of Court programs and other corporate obligations of an organization such as the Court. These groups are: Governance and Management Support, Resource Management Services as well as Asset Management Services. Internal Services include only those activities and resources that apply to the entire Court and not to those provided to a specific program.

Planning Highlights

The objective of the Office of the Registrar's internal services is to support the Court's core program activity by providing timely and responsive services that are effective and efficient as per the established service standards. Some key initiatives are:

- To prepare for the 2011-12 implementation of quarterly financial reporting by preparing comparative information for the 2010-11 year.
- To continue work on the future-oriented financial statements, started in 2009-10. The Office of the Registrar of the Supreme Court of Canada participated in a pilot project and this is the first time that future-oriented financial statements have been prepared.
- To establish the internal control framework in anticipation of the April 2011 implementation of the Treasury Board Policy on Internal Control. Additional work will focus on documentation of key processes and assessment of internal controls over financial reporting. Preliminary work started in 2009-10 and it is expected that significant effort will be required to further prepare for the implementation of this policy and ongoing compliance.
- To arrange and coordinate an independent review of statutory payments to assess the accuracy of such payments.
- To assess the delivery of security services, including a review of the governance model, policies, procedures and practices as well as finalizing the BCP.
- To continue improving the talent management program as well as the learning management framework.
- To instill the newly formulated vision and values statements into the culture of the Court and its staff.

C. Benefits to Canadians

The Supreme Court of Canada is Canada's highest court of law and the final general court of appeal for all litigants, whether they be individuals, corporations or governmental bodies. The Supreme Court of Canada stands at the apex of the Canadian judicial system and as such is a fundamental component of the Canadian government and its institutions. Because of this position, the strategic outcome of the Office of the Registrar of the Supreme Court of Canada - "the administration of Canada's final court of appeal is effective and independent" - contributes to the Government Affairs outcome area of the federal government.

Section III. Supplementary Information

A. Financial Highlights

The future-oriented financial highlights presented within this Report on Plans and Priorities are intended to serve as a general overview of the Office of the Registrar's operations. These future-oriented financial highlights are prepared on an accrual basis to strengthen accountability as well as to improve transparency and financial management. The future-oriented statement of operation and applicable notes can be found on the Supreme Court of Canada's website at http://www.scc-csc.gc.ca/fin/fut-pros/2010-11-eng.asp.

Condensed Statement of Operations For the Year Ended March 31 ($ millions)	% Change	Future-oriented 2010-2011	Estimated Results 2009-2010
Expenses Total Expenses	2.4%	42.2	41.2
Revenues Total Revenues	0%	(0.2)	(0.2)
Net Cost of Operations	2.4%	42.0	41.0

B. Supplementary Information Tables

All electronic supplementary information tables found in the 2010-11 Report on Plans and Priorities can be found on the Treasury Board of Canada Secretariat's web site at http://www.tbs-sct.gc.ca/rpp/2010-2011/info/info-eng.asp:

- Summary of Capital Spending by Program Activity
- Source of Respendable and Non-Respendable Revenue

C. Other Items of Interest

i) For further information

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Michel Gallant, Manager Judicial Support Services and Protocol Branch Telephone: (613) 996-4841	E-mail: Michel.Gallant@scc-csc.gc.ca

ii) Statutory Reports

Supreme Court Reports

Pursuant to section 17 of the *Supreme Court Act*, the Registrar or the Deputy Registrar, as the Chief Justice directs, is responsible for the publication of the judgments of the Court in the *Supreme Court Reports*, which include all the reasons for judgment rendered by the Court in a given calendar year.

iii) Legislation Administered

Supreme Court Act	**R.S.C. 1985, C.S-26 as amended**
Judges Act	**R.S.C. 1985, C.J-1 as amended**